

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ROBERT D. PRESS, :
 :
Plaintiff, :
 :
- against - :
 :
PATRICK J. PRIMAVERA, :
 :
Defendant. :
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USDC SDNY
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DATE FILED: 3/22/2022

ORDER

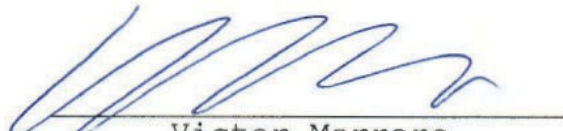
21 Civ. 10971 (VM)

VICTOR MARRERO, United States District Judge.

On February 7, 2022, Defendant Patrick J. Primavera filed a letter motion informing the Court that the parties have exchanged correspondence concerning Defendant's anticipated motion to dismiss pursuant to Rule 12 (b) (6) of the Federal Rules of Civil Procedure, and the dispute is now ripe for determination. (See Dkt. No. 15.)

After reviewing the parties' letter exchange (see Dkt. Nos. 13-14), the Court agrees that no further briefing is needed, and a conference is not necessary at this time. Instead, the Court is inclined to treat the parties' pre-motion letters as a motion to dismiss on the issue of choice of law. See Kapitalforeningen Lægernes Invest. v. United Techs. Corp., 779 F. App'x 69, 70 (2d Cir. 2019) (affirming the district court ruling deeming an exchange of letters as a fully submitted motion to dismiss). If further briefing becomes necessary, the Court will direct the parties to file additional material.

Dated: March 22, 2022
New York, New York


Victor Marrero
U.S.D.J.